

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

AUGUST 25, 2003

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Gail Nichols

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

**KIRK
ADOPTED**

**Approval of Minutes of Previous Sessions
July 28, 2003**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

**LOEFFEL
(DEFERRED
TO 09/15/03)**

1. **Resolution honoring Donnie E. Wilson for distinguished service to Shelby County.**

**FORD
(DEFERRED
TO 09/15/03)**

2. **Resolution in honor of Shaun Micheel, 2003 PGA (Professional Golfers Association) Champion.**

**FORD
(DEFERRED
TO 09/15/03)**

3. **Resolution commending Muriel Malone Conner.**

Ordinances

Zoning and Subdivisions

**HOOKS
ADOPTED
(A-E)**

4. **Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.**

Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	5.	Resolution rescinding the sale of seventy delinquent tax parcels from Tax Sale(s) 17, 23, 28, 48, 50, 53, 54, 55, 82.1, 82.2, 83.1, 85.2, 89.2, 89.4, 89.5, 89.6, 91.1A, 92.2A, 93.1, 93.2, 94.2, 94.3, 94.4, 95.1, 95.2, 96.1, 96.2, 97.1 and 97.4 pursuant to the provision of the TCA 67-5-2507.
KIRK ADOPTED	6.	Resolution approving contract amendment with Eckman/Freeman, Inc. for On-The-Job Injury Case Management Services for one year beginning July 1, 2003 to June 30, 2004 in an amount not to exceed \$60,000.00.
KIRK ADOPTED	7.	Resolution approving Shelby County Government to respond to a request for proposal to host the 2008 of 2009 Annual Conference and Exposition of the National Association of Counties (NACO).
LILLARD ADOPTED	8.	Resolution to grant a 60 foot wide permanent sanitary easement and three temporary construction easements across county owned property known as Shelby Farms, to the City of Memphis, for relief sanitary sewer service to new and existing East Memphis developments.
AVERY ADOPTED	9.	Resolution to approve a contract amendment between Shelby County Government and Memphis Pathology Laboratory for the provision of professional laboratory staff support to the Memphis and Shelby County Health Department Central Laboratory in the amount of \$85,200.00 for the period July 1, 2003 —June 30, 2004.
AVERY ADOPTED	10.	Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$151,984.00 for laboratory services provided to the Tennessee Department of Health and for the maintenance of a Bio-Terrorism Laboratory for the period July 1, 2003 – June 30, 2004.
AVERY ADOPTED	11.	Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health for the period July 1, 2003 – June 30, 2004 in the amount of \$8,929,700.00 for the administration of multi health services, amending eighteen (18) FY 2003/2004 Operating Budgets, amending the FY 2003/2004 Position Control Budget to delete twenty nine (29) existing positions and deleting two (2) FY 2003/2004 Operating Budgets.
THOMPSON WITHDRAWN	12.	Resolution to accept \$250,000.00 in the Community Prosecution and Project Safe Neighborhoods Program from the Bureau of Justice Assistance, Office of Criminal Justice Programs, and to amend the FY 2003/2004 Shelby County Budget.

THOMPSON ADOPTED	13.	Resolution approving a sub-grant to the City of Memphis on behalf of the Memphis Police Department in the amount of \$84,324.00 net of required matching contribution pursuant to the Juvenile Accountability Incentive Block Grant for the term October 1, 2002 to September 30, 2003.
THOMPSON ADOPTED	14.	Resolution approving expenditure of funds in the amount of \$70,000.00 for the purchase of identification supplies (armbands, photo paper, clinchers) from Pinnacle Technologies for the Sheriff's Office, Jail Division.
THOMPSON ADOPTED	15.	Resolution approving expenditure of funds in the amount of \$84,265.86 for Outside Janitorial Service from Elite Service Group for the Sheriff's Office, Jail Annex.
RENDTORFF ADOPTED	16.	Resolution to accept federal grant funds in the amount of \$9,600.00 for the Head Start program and to amend the FY 2003/2004 Operating Budget.
FORD ADOPTED	17.	Resolution amending Shelby County Health Plans for the Health Insurance Portability and Accountability Act of 1996.
FORD ADOPTED	18.	Resolution approving a one year agreement renewal contract CA033441, with MERCER Human Resources Consultants for actuarial and benefits consulting services to assist with Administration of the county's healthcare plans and will not exceed \$126,000.00 in cost for period July, 2003 – June, 2004.
MALONE ADOPTED	19.	Resolution authorizing the mayor of Shelby County to execute a Lead Hazard Control Grant Award Agreement between Shelby County Government and the U.S. Department of Housing and Urban Development in the event that Shelby County is awarded a grant during 2003.
RENDTORFF ADOPTED	CONSENT AGENDA	

R E G U L A R A G E N D A

Elections, Appointments and Confirmations

HOOKS ADOPTED	20.	Resolution approving the county mayor's nomination of Gary Wagoner, Don White, David Dixon, James L. Burke, Roscoe Tate, Thomas Shockley, Alfred Alperin, Jamnu Tahiliani, Marta McCully, William Hawkins, Danny McGroom, David Parsons, Jerome Rubin for appointment to the Memphis and Shelby County Joint Board of Appeals.
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- HOOKS
ADOPTED

21. Resolution approving the county mayor’s nomination of James Toles and Jack Tickle for reappointment, and Juan Self, Ralph Richardson, Donnie Blackburn and Ken Shappley for appointment to the Memphis and Shelby County Building Board.
- HOOKS
ADOPTED

22. Resolution approving the county mayor’s nomination of A.B. Haines and J.V. Weatherington for reappointment, and Chet Kibble and Claude McCrory for appointment to the Memphis and Shelby County Electrical Board.
- HOOKS
ADOPTED

23. Resolution approving the county mayor’s nomination of William Hartsfield, William Jason, John Saucier and Larry Johnston for appointment to the Memphis and Shelby County Mechanical Board.
- HOOKS
ADOPTED

24. Resolution approving the county mayor’s nomination of Tommy Lee, Cody Childress, Steven Stachowski, Glen Cobb, and Bert Poletti for appointment to the Memphis and Shelby County Plumbing Board.

Ordinances

- BOLTON
ADOPTED

25. ORDINANCE – THIRD READING – Ordinance to adopt Supplement No. 24 to the Code of Shelby County, Tennessee.

Zoning and Subdivisions

- HOOKS
ADOPTED

26. CASE NO. P.D. 03-315 CC
APPLICANT: Hunters Walk South Joint Venture

LOCATION: East side of Germantown Road; +95 feet south of Rebecca Woods Drive

REQUEST: Planned development to permit 70 single family detached homes with a minimum lot size of 13,500 square feet within the plan

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, August 1, 2003.)

**HOOKS
ADOPTED**

27.

CASE NO. P.D. 03-335 CC

APPLICANT: Land Solutions, LLC

LOCATION: South side of Holmes Road; +/-747 feet east of Annandale Drive

REQUEST: Planned development to allow single family detached residential neighborhoods of varying lot sizes (3,500 to 12,500 sq. ft. in area) including multiple dwelling residential

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
ADOPTED**

28.

CASE NO. P.D. 03-340 CC

APPLICANT: Houston Levee Crossing Partners

LOCATION: South side of Pisgah Road; +5,700 feet north of the intersection of Macon Road and Pisgah Road

REQUEST: Planned development to permit 170 single family detached dwellings in accordance with R-S10 maximum gross density per acre

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
(DEFERRED
TO 11/17/03)**

29. CASE NO. Z 03-114 CC
APPLICANT: Windsor Park, LLC
- LOCATION: North side of Ellis Road; beginning 944.6 feet west of Brunswick Road
- REQUEST: Single Family Residential (R-S10) District
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
(DEFERRED
TO 09/15/03)**

30. CASE NO. P.D. 02-350 CC
APPLICANT: Dr. Paul Green
- LOCATION: North side of Walnut Grove Road; +/-552 feet east of Rocky Point Road
- REQUEST: Mixed-Use Planned Development to allow General Office (O-G), Single Family Residential (R-S6) and Multiple Dwelling Residential (R-ML) Districts uses within the Outline Plan
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, April 25, 2003.)

Reports and/or Resolutions of Standing Committees

**KIRK
(DEFERRED
TO 09/15/03)**

31. Resolution of the Board of County Commissioners of Shelby County, Tennessee, making provision for the raising annually by tax upon all property in the area of the county located outside the boundaries of the Board of Education of the Memphis City Schools, which constitutes the area of the county outside the boundaries of the City of Memphis, Tennessee, of a sum sufficient to pay, as the same shall become due, the interest on and principal amount of not exceeding Twenty-Nine Million Eight Hundred Thousand dollars (\$29,800,000.00) of Special General Obligation School Bonds authorized by the Initial Resolution adopted by the Board of County Commissioners of Shelby County, Tennessee, on April 7, 2003 for the purpose of financing schools, transportation equipment for schools, and for

various school purposes for schools located outside the boundaries of the Board of Education of the Memphis City Schools; authorizing the use of a Preliminary Official Statement, Notice of Sale, Summary Notice of Sale and Bid Forms in connection with the sale of such bonds; authorizing the county mayor to accept the best bids for the purchase of the bonds; prescribing the maximum interest rate to be borne thereby, the form thereof and certain details relating thereto; authorizing the execution and delivery of an Official Statement in connection therewith; providing for certain other matters deemed necessary and proper in connection with the issuance of said bonds; authorizing the proper officers to do all things necessary or advisable in connection with the sale of such bonds; and providing an effective date hereof.

KIRK
ADOPTED

32. Resolution approving the Shelby County Capital Improvement Program for Fiscal Year 2004 and the corresponding Five-Year Capital Improvement Program for Fiscal Years 2004 – 2008.

KIRK
ADOPTED

33. Resolution appropriating \$57,300,000.00 to the Memphis City Schools and \$20,000,000.00 to the Shelby County Schools from the FY 2003/2004 Capital Improvement Budget.

HOOKS
(DEFERRED
TO 09/29/03)

34. Resolution approving a moratorium not to accept zoning applications, planned development applications or special use permits for a period from August 1, 2003 until April 30, 2004 in the area defined as the 385 Corporate Technology Corridor.

Reports and/or Resolutions of Special Committees

Announcements and Statements

Adjournment

THOMPSON
ADOPTED

35. Resolution of Adjournment to September 15, 2003 at 1:30 p.m.

[For questions regarding this Agenda, please call
Grace Hutchinson, Chief Administrator, at 545-4301.]

AGENDA # 4
AUGUST 25, 2003

4A

SUBDIVISION: CORDOVA INDUSTRIAL PARK SUBDIVISION, FOURTH ADDITION (S 00-023 CC)

DEVELOPER: C.I.P., LTD.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO CORDOVA INDUSTRIAL PARK SUBDIVISION, FOURTH ADDITION (S 00-023 CC)

LOCATION: SOUTHSIDE CORDOVA PARK ROAD

4B

SUBDIVISION: CORDOVA PARK ROAD, FOREST HILL-IRENE ROAD AND TIGER TRAIL STREET DEDICATION (SD 94-02 CC)

DEVELOPER: C.I.P., LTD.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO CORDOVA PARK ROAD, FOREST HILL-IRENE ROAD AND TIGER TRAIL STREET DEDICATION (SD 94-02 CC)

LOCATION: SOUTH SIDE OF MACON ROAD; EAST OF THE CSX RAILROAD, EXTENDING SOUTH TO CORDOVA PARK ROAD TIGER TRAIL AND FOREST-HILL IRENE ROAD

4C

SUBDIVISION: MORNING WOODS SUBDIVISION, FIRST ADDITION (S 99-14 CC)

DEVELOPER: LIGHTMAN & YEARWOOD, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO MORNING WOODS SUBDIVISION, FIRST ADDITION (S 99-14 CC)

LOCATION: WESTERN TERMINUS OF SILVER HOLLOW COVE, WOOD GROVE COVE AND CEDAR BROOK COVE

AGENDA # 4
AUGUST 25, 2003

4D

SUBDIVISION: WHITTEN FOREST P.D., PHASE 4, PART OF PARCELS 1 AND 2 (P.D. 84-380 CC)

DEVELOPER: TERKAP, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO WHITTEN FOREST P.D., PHASE 4, PART OF PARCELS 1 AND 2 (P.D. 84-380 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTHEAST CORNER OF MANSLICK ROAD AND WHITTEN ROAD

4E

SUBDIVISION: WHITTEN FOREST P.D., PHASE 5, PART OF PARCELS 1 AND 2 (P.D. 84-380 CC)

DEVELOPER: TERKAP, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO WHITTEN FOREST P.D., PHASE 5, PART OF PARCELS 1 AND 2 (P.D. 84-380 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTHEAST CORNER OF MANSLICK ROAD AND WHITTEN ROAD